

525 Rec'd PCT/PTO 08 DEC 2000

09/647678

FORM PTO-1390 (REV. 12-99)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				ST98009 #3	
				U.S. APPLICATION NO. (If known. See 37 C.F.R. 1.5) 09/647,678 #4	
INTERNATIONAL APPLICATION NO. PCT/FR99/00740		INTERNATIONAL FILING DATE 30 March 1999		PRIORITY DATE CLAIMED 02 April 1998	
TITLE OF INVENTION NEW AGENTS FOR TRANSFERRING NUCLEIC ACIDS, COMPOSITIONS CONTAINING THEM AND THEIR USES					
APPLICANT(S) FOR DO/EO/US Gerardo BYK, Marc FREDERIC, Hans HOFLAND, Daniel SCHERMAN					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)), and Power of Attorney. 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11. to 16. below concern other document(s) or information included: 11. <input type="checkbox"/> An information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input type="checkbox"/> Other items or information:					
CERTIFICATION UNDER 37 CFR 1.10					
"Express Mail" Mailing Number <u>E 68515433845</u>			Date of Deposit <u>08 Dec. 2000</u>		
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231.					
<u>Debra L. Wetherill</u> (Type or print name of person mailing paper)			<u>Debra L. Wetherill</u> (Signature of person mailing paper)		

12/13/2000 ERIHANDO 00000017 181982 09647678

01 FC:154

130.00 CH

U.S. APPLICATION NO. (If Known, see C.F.R. 1.5) <b>09/647,678</b>	INTERNATIONAL APPLICATION NO.  <b>PCT/FR99/00740</b>	ATTORNEY'S DOCKET NUMBER <b>ST98009</b>
17. <input type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445 (a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO..... <b>\$970.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... <b>\$840.00</b> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO..... <b>\$690.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... <b>\$670.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)..... <b>\$ 96.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		CALCULATIONS <span style="float: right;">PTO use only</span>
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ X ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Claims	Number Filed	Number Extra
Total Claims	- 20 =	X \$ 18.00
Independent Claims	- 3 =	X \$ 78.00
Multiple dependent claim(s) (if applicable)		+ \$260.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).		\$
<b>SUBTOTAL =</b>		\$
Processing fee of \$130.00 for furnishing the English translation later the [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$
<b>TOTAL NATIONAL FEE =</b>		\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$
<b>TOTAL FEES ENCLOSED =</b>		\$
		Amount to be refunded \$
		charged \$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fee is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>18-1982</u> in the amount of \$ <u>130.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-1982</u> . A duplicate copy of this sheet is enclosed.		
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.		
SEND ALL CORRESPONDENCE TO:  Customer No. 005487		Signature <i>Karen I. Krupen</i> Name Karen I. Krupen Registration Number #34,647 Date <i>08 Dec. 2000</i>

# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PT/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT | (\$ ) 240.00

## Complete if Known

Application Number	09/647,678
Filing Date	02 October 2000
First Named Inventor	Byk, G.
Examiner Name	W. Alvarado
Group / Art Unit	
Attorney Docket No.	ST98009A

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 18-1982

Deposit Account Name

- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	
106	310	206	155	Design filing Fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
S	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES

Extra Claims		Fee from below	Fee Paid
Total Claims	<u>20</u> ** = <u>20</u> x <u>18</u> = <u>360</u>		
Independent Claims	<u>3</u> ** = <u>3</u> x <u>18</u> = <u>54</u>		
Multiple Dependent	<u>17</u> = <u>17</u> x <u>18</u> = <u>306</u>		

\*\*or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ )

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English Specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	110.00
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) 240.00

## SUBMITTED BY

## Complete (If applicable)

Name (Print/Type)	<u>Karen J. Krupen</u>	Registration No. (Attorney/Agent)	<u>60444</u>	Telephone	<u>(908) 231-4658</u>
Signature	<u>Karen J. Krupen</u>	Date	<u>08 Dec. 2000</u>		

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

COMPUTER  
ENTERED



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

KIK

U.S. APPLICATION NO.

09/647678

FIRST NAMED APPLICANT

BYK

ATTY. DOCKET NO.

G

ST98009A

INTERNATIONAL APPLICATION NO.

PCT/FR99/00740

I.A. FILING DATE

PRIORITY DATE

30 MAR 99

02 APR 98

DATE MAILED: 27 OCT 2000

AVENTIS PHARMACEUTICALS PRODUCTS INC  
ROUTE 202-206; MAIL STOP: EMC-G1  
PO BOX 6800  
BRIDGEWATER, NJ 08807

Reply To Missing  
Regmt's - 11/27/2000

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

☐ a Designated Office (37 CFR 1.494),

☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☒ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed \_\_\_\_\_.

☐ Verified Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein. —

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

Winston M. Alvarado